

TOWN OF LOS ALTOS HILLS  
Staff Report to the City Council

March 26, 2009

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SUBJECT: GRANT OF PATHWAY EASEMENT; LANDS OF RIZZI  
12615 MIRALOMA WAY

FROM: Richard Chiu, City Engineer/Public Works Director *R. Chiu*

APPROVED: Carl Cahill, City Manager *C.C.*

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RECOMMENDATION: That the City Council:

Adopt the attached resolution accepting the grant of pathway easement.

DISCUSSION:

The attached 10' wide pathway easement is to be placed along Miraloma Way. The dedication of the easement was offered by the property owner in conjunction with a site development permit for an addition to the residence.

FISCAL IMPACT:

There is no fiscal impact associated with this recommendation.

ATTACHMENTS

1. Resolution
2. Grant of Easement

Report prepared by: John Chau, Assistant Engineer

cc: Joseph D. Rizzi  
12615 Miraloma Way  
Los Altos Hills, CA 94022

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY COUNCIL OF THE  
TOWN OF LOS ALTOS HILLS  
ACCEPTING GRANT OF A PATHWAY EASEMENT  
(Lands of Rizzi)**

**WHEREAS**, Joseph D. Rizzi, Trustee and Elizabeth M. Rizzi, Trustee of the Joseph D. and Elizabeth M. Rizzi 1990 Family Trust dated September 27, 1990 ("Owners"), are the owners of the property commonly known as 12615 Miraloma Way, Los Altos Hills, California; and

**WHEREAS**, Owners have offered to grant to the Town an easement for the construction, operation and maintenance of existing and future pathway facilities, for pedestrian, bicycle and equestrian use ("Pathway Easement"); and

**WHEREAS**, the City Council has determined it is necessary and proper and in the public interest to accept the grant of the Pathway Easement;

**NOW, THEREFORE**, the City Council of the Town of Los Altos Hills does **RESOLVE** as follows:

Section 1. The Town hereby accepts on behalf of the public, and for the purposes therein described, the Grant of Pathway Easement attached to this Resolution as Attachment A.

Section 2. The Town shall accept, and the Mayor is hereby authorized and directed to execute, the Grant of Pathway Easement.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2009.

BY: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Karen Jost, City Clerk

**Attachment A**

Grant of Pathway Easement

This Document Is Recorded  
For the Benefit of the  
Town of Los Altos Hills  
And is Exempt from Fee  
Per Government Code  
Sections 6103 and 27383

When Recorded, Mail to:

Town of Los Altos Hills  
26379 Fremont Road  
Los Altos Hills, CA 94022  
Attention: City Clerk

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**GRANT OF PATHWAY EASEMENT  
TO THE TOWN OF LOS ALTOS HILLS**

**(Lands of Rizzi)**

THIS GRANT OF EASEMENT is made this \_\_\_\_ day of \_\_\_\_\_, 2009, by Joseph D. Rizzi, Trustee and Elizabeth M. Rizzi, Trustee of the Joseph D. and Elizabeth M. Rizzi 1990 Family Trust dated September 27, 1990 ("Owners"), owners of the property commonly known as 12615 Miraloma Way, Los Altos Hills, California, to and for the benefit of the Town of Los Altos Hills, a municipal corporation ("Town").

Section 1. Owners do hereby offer to grant to Town a perpetual right and nonexclusive easement for the construction, operation and maintenance of existing and future pathway facilities, for pedestrian, bicycle and equestrian use, together with right of access thereto, on, under, over, along and through the real property situated in the Town of Los Altos Hills, County of Santa Clara, State of California as described and depicted in Exhibit A attached hereto ("Easement").

Section 2. Owners shall not allow the placement or construction of any structures or improvements on the Easement property.

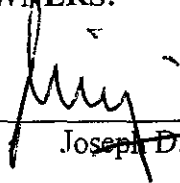
Section 3. The Town hereby accepts the grant of the Easement.

[Next Page]

IN WITNESS WHEREOF, the Owners have properly executed, and the Town has hereby accepted, this grant of the Easement as follows:

**OWNERS:**

Date: 12-17-08

  
\_\_\_\_\_  
Joseph D. Rizzi

Date: 12-17-08

  
\_\_\_\_\_  
Elizabeth M. Rizzi

**TOWN OF LOS ALTOS HILLS:**

Date: \_\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
Karen Jost, City Clerk

**Exhibit A**

Legal Description of Pathway Easement and Plat to Accompany Legal Description

**EXHIBIT "A"**

**Legal Description of a  
10' wide Pathway Easement**

12615 Miraloma Way  
Los Altos Hills, California  
Portion of A.P.N. 336-16-002

All that certain real property in the Town of Los Altos Hills, County of Santa Clara, State of California, described as follows:

Being a portion of land over the Lands of Rizzi, as described in that certain Grant Deed, recorded as Document No. 12183726, Santa Clara County Official Records, and being more particularly described as follows:

BEGINNING at a point on the northeasterly boundary line of said Lands of Rizzi, said point being located North 38°49'00" West, 16.00 feet, from the most easterly corner of said Lands of Rizzi;

Thence, from said Point of Beginning, southwesterly, along a line parallel, and 16.00 feet distant, measured at a right angle, with the southeasterly boundary line of said Lands of Rizzi, South 49°56'00" West, 187.61 feet, to a point on the southwesterly boundary line of said Lands of Rizzi;

Thence, along the southwesterly boundary line of said Lands of Rizzi, North 38°49'00" West, 10.00 feet, to a point, on a line parallel, and 26.00 feet distant, measured at a right angle, with the southeasterly boundary line of said Lands of Rizzi;

Thence, along the last mentioned parallel line, North 49°56'00" East, 187.61 feet, to a point on the northeasterly boundary line of said Lands of Rizzi;

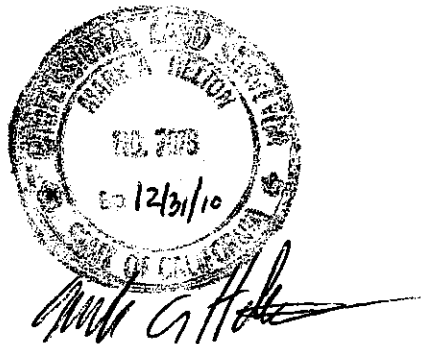
Thence, along the northeasterly boundary line of said Lands of Rizzi, South 38°49'00" East, 10.00 feet, to POINT OF BEGINNING;

Containing 1,876 square feet, more or less, as show on the plat attached hereto and made a part hereof.

End of Description.

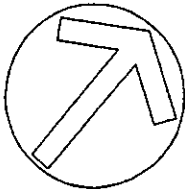
Date: 12/23/08

Mark A. Helton  
L.S. 7078  
License Expires 12-31-10



APN  
336-21-004

APN 336-15-005



SCALE: 1"=80'

LEGEND

( ) RECORD DATA IN CONFLICT  
WITH CALCULATED DATA.

APN 336-16-003

LANDS OF RIZZI  
APN 336-16-002

PARCEL 1  
621 M 6&7



*Mark A. Helton*  
12-23-08

APN 336-16-008

APN 336-16-009

548.89'

N38°49'00"W

S81°21'00"E  
10.98'

N81°39'00"E

209.00' (209.06')

430.74' (430.71')

S38°49'00"E

10.00'

N49°56'00"E  
S49°56'00"W

10.00' PATHWAY EASEMENT  
(AREA=1,876± S.F.)

187.61'  
187.61'

10.00'

POINT OF BEGINNING

EX. 40' STREET  
DEDICATION  
(621 M 7)

EX. 30' INGRESS &  
EGRESS EASEMENT  
(DOC. NO. 12183726)

Miraloma Way

16.00'

187.61'

**GK** Giuliani & Kull, Inc.  
Engineers • Planners • Surveyors

4880 Stevens Creek Blvd. Suite 205 San Jose, CA. 95129  
(408) 615-4000 Fax (408) 615-4004  
Auburn • San Jose • Oakdale

SCALE: 1"=80'

DATE: 12/23/08

DRAWN: E.T.

CHECKED: C.M.

JOB NO.: 00233

SHEETS: 1 OF 1

PLAT TO ACCOMPANY  
LEGAL DESCRIPTION

10' PATHWAY  
EASEMENT

LOS ALTOS HILLS, CALIFORNIA



# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

San Mateo

} ss.

On Dec. 17, 2008, before me, Greta Harrison, Notary Public,

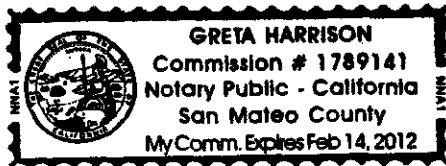
Date

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Joseph D. Rizzi & Elizabeth M. Rizzi

Name(s) of Signer(s)

- ☒ personally known to me  
☒ proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he~~/she/they executed the same in ~~his~~/her/their authorized capacity(ies), and that by ~~his~~/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]  
Signature of Notary Public

Place Notary Seal Above

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: Grant of Pathway Easement to the town of Los Altos Hills

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER

Top of thumb here

